



## ORDINANCE 1 OF 2018

### **AN ORDINANCE AMENDING ORDINANCE 3 OF 1997 WHICH REQUIRED A BOATING SAFETY COURSE FOR THE OPERATION OF WATERCRAFT ON CANE RIVER LAKE, AND PROVIDING FOR ADVERTISEMENT**

**WHEREAS**, the Cane River Waterway Commission is a political subdivision of the State of Louisiana, created pursuant to R.S. 34:3261 et. seq.; and

**WHEREAS FURTHER**, the Cane River Waterway Commission was created for the purpose of establishing, operating, and maintaining the Cane River Waterway, included among the powers delegated to the Cane River Waterway District is the power be the regulatory authority of the Cane River Waterway and its use pursuant to R. S. 34:3269(13); and

**WHEREAS FURTHER**, the governing authority of the Cane River Waterway District, the Cane River Waterway Commission, adopted Ordinance No. 3 of 1997 to provide a requirement for a boating safety course for those persons operating watercraft on Cane River Lake in order to promote safety for all persons utilizing Cane River Lake; and

**WHEREAS FURTHER**, since the time of the adoption of Ordinance No. 3 of 1997, the State of Louisiana has adopted Louisiana R. S. 34:851.36 to require boating

safety education for certain persons operating watercraft in Louisiana, and the Cane River Waterway Commission desires to amend Ordinance 3 of 1997 in order to bring it in line with the requirements of State Law, and specifically LA R.S. 34:851.36; and

**NOW THEREFORE BE IT ORDINED**, in legal session convened and in accordance with Louisiana R.S. 34:3261 et. seq., specifically R.S. 34:3261(13), Ordinance Number 3 of 1997 is hereby amended to provide as follows, to-wit:

**“Boating Safety Education required**

- A. Except as provided in Subsection B of this Ordinance, no person born after January 1, 1984 shall operate a motorboat powered by a motor in excess of ten horsepower unless he has successfully completed a boating safety class approved by the National Association of State Boating Law Administrators (NASBLA).
- B. (1) A motorboat may be operated if any person on board or participating in any boating activity from the motorboat is over the age of eighteen and, if required to have completed a boating safety course under the provisions of Subsection A of this Ordinance, has completed the require boating safety course.  
  
(2) A person who is licensed by the U.S. Coast Guard as a captain to operate a vessel is exempt from Subsection A, above.
- C. Youth younger than 10 years of age may take the course, but they are not eligible to be certified and must retake the course to obtain certification when they reach 10 years of age or older.

D. The Commission encourages every boater to take a boater education course, therefore a Cane River safety course will be offered by the Commission on volunteer basics for person(s) born before January 1 1984.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

If any portions of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the Cane River Waterway Commission that each separate provision shall be deemed independent of all other provisions herein.

This Ordinance shall go into effect upon publication and in accordance with law.

Said Ordinance having been introduced on the 17 day of April, 2018, at a regular meeting of the Cane River Waterway Commission held at 244 Cedar Bend, Natchez, Louisiana 71456.

Ordinance considered, on motion by Mrs. Vienne and seconded by Mr. Methvin, to adopt the ordinance, a record vote was taken and the following result was had:

YEAS: 4 (Mr. Rhodes, Mrs. Vienne, Mr. Paige, Mr. Methvin)

NAYS: 0

ABSENT: 1

OBSTAINED: 0

Whereupon, the presiding officer declared the above Ordinance duly passed on this the 15 day of May, 2018.

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**Jim Rhodes, Chairman**